

76-10-2402 Commercial obstruction -- Penalties.

- (1)
- (a) A person is guilty of a misdemeanor if the person enters or remains unlawfully on the premises of or in a building of any business with the intent to interfere with the employees, customers, personnel, or operations of a business through any conduct that does not constitute an offense listed under Subsection (2).
 - (b) A violation of Subsection (1)(a) is a class A misdemeanor.
- (2) A person is guilty of felony commercial obstruction if the person enters or remains unlawfully on the premises or in a building of any business with the intent to interfere with the employees, customers, personnel, or operations of a business and also with the intent to:
- (a) obtain unauthorized control over any merchandise, property, records, data, or proprietary information of the business;
 - (b) alter, eradicate, or remove any merchandise, records, data, or proprietary information of the business;
 - (c) damage, deface, or destroy any property on the premises of the business;
 - (d) commit an assault on any person; or
 - (e) commit any other felony.
- (3) A person who violates any provision in Subsection (2) is guilty of a second degree felony.
- (4) This section does not apply to action protected by the National Labor Relations Act, 29 U.S.C. Section 151 et seq., or the Federal Railway Labor Act, 45 U.S.C. Section 151 et seq.
- (5) This section does not apply to a person's exercise of the rights under the First Amendment to the Constitution of the United States or under Article I, Sec. 15 of the Utah Constitution.

Amended by Chapter 334, 2010 General Session